

Maine Revised Statutes
Title 5: ADMINISTRATIVE PROCEDURES AND SERVICES
Chapter 3: ADMINISTRATIVE DEPARTMENTS,
AGENCIES, BOARDS, ETC., GENERALLY

§55-A. UNFAIR COMPETITION

1. Prohibition. A state agency may not sell goods or services to the public in competition with private enterprise unless it complies with this section.

[2003, c. 238, §1 (NEW); 2003, c. 238, §2 (AFF) .]

2. Prior approval required. Unless otherwise provided by law, before a state agency may sell goods or services to the public, that agency must refer the matter for review and approval to the Advisory Committee on Fair Competition with Private Enterprise, established in section 12004-I, subsection 2-E. If the Advisory Committee on Fair Competition with Private Enterprise finds that the proposed activity is not specifically authorized by law and that activity will result in unfair competition, the state agency may not sell those goods or services.

[2003, c. 238, §1 (NEW); 2003, c. 238, §2 (AFF) .]

3. Exceptions for emergencies. A state agency may immediately sell goods or services to the public in the event of an emergency as determined by the agency head. The agency must refer the matter for review and approval to the Advisory Committee on Fair Competition with Private Enterprise as soon as possible. If the committee finds the activity results in unfair competition, the state agency must suspend sale of those goods or services within 30 days of the notification of the finding.

[2003, c. 238, §1 (NEW); 2003, c. 238, §2 (AFF) .]

4. Exception for existing goods and services. This section does not apply to goods or services that a state agency began selling to the public on or before January 15, 2004.

[2003, c. 238, §1 (NEW); 2003, c. 238, §2 (AFF) .]

SECTION HISTORY

2003, c. 238, §1 (NEW). 2003, c. 238, §2 (AFF).

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